

ORDINANCE NO. _____.

AN ORDINANCE REQUIRING CONSIDERATION AND MITIGATION OF LOSS OF SAND RESOURCES FOR BEACH NOURISHMENT IN PUBLIC AND PRIVATE PROJECTS

The Board of Supervisors of the County of _____ [City Council of the City of _____] finds that public and private projects which impact or remove sand, gravel and cobble resources from coastal watersheds have the effect of diminishing sand resources for our beaches and that failure to provide for mitigation of this loss will severely impact our beach and coastal resources and ordains as follows:

SECTION 1. Sections ____ and ____ of the County/City Code is hereby adopted as follows:

Section _____ - Public Projects Involving Sand and Gravel Resources

Every capital improvement or public works project undertaken by or for the County/City shall comply with the following:

- A. The project planning documents and environmental impact consideration therefore for every such project shall include a consideration of whether the project will remove sand, cobble or gravel from its present location, or alter the ability of sand, gravel or cobble to migrate through the watershed and provide sand, gravel or cobble nourishment to the beach ecosystem and littoral region.
- B. If a project is determined to impact beach nourishment in the littoral region, a further determination shall be made as to what provisions should be included in the project to mitigate the impact to beach nourishment or provide alternative nourishment to the beaches in the littoral region served by the watershed.
- C. Any project involving the removal or moving of sand or cobble material from the project site shall have a priority requirement for delivery of that material to a beach replenishment site established by the South Central Coast Beach Enhancement Program (SCCBEP) of the Beach Erosion Authority for Clean Oceans and Nourishment (BEACON). There shall be a specific determination of whether the material is appropriate for beach replenishment purposes and whether such delivery is feasible for the project. Projects involving less than 100 cubic yards of material are exempt from this subsection.
- D. County/City staff shall consult with the staff of the Beach Erosion Authority for Clean Oceans and Nourishment (BEACON) in making their determinations under subparagraphs A, B, and C above.
- E. There shall be a report of the compliance of a project with the provisions of this section in every staff report for final consideration by the Board of Supervisors/City Council for every capital improvement or public works project proposed for approval.

Section _____ - Projects Involving Sand and Gravel Resources or Projects Impacting Sand Supply or Beach Nourishment

Every land use permit, grading permit, building permit, or other development permit or project for which application is made to or for which approval is needed from the County/City shall comply with the following:

- A. The permit or project planning documents and environmental impact consideration therefore for every such permit or project shall include a consideration of whether the project will remove sand, cobble or gravel from its present location, or alter the ability of existing sand, gravel or cobble to migrate through the watershed and provide sand, gravel or cobble nourishment to the beach ecosystem and littoral region.
- B. If a permit or project is determined to impact beach nourishment in the littoral region, a further determination shall be made as to what provisions should be included in the project to mitigate the impact to beach nourishment or provide alternative nourishment to the beaches in the littoral region served by the watershed. Such permit or project shall be conditioned appropriately to achieve this purpose.
- C. Any permit or project involving the removal or moving of sand or cobble material from the project site shall have a priority requirement for delivery of that material to a beach replenishment site established by the South Central Coast Beach Enhancement Program (SCCBEP) of the Beach Erosion Authority for Clean Oceans and Nourishment (BEACON). There shall be a specific determination of whether the material is appropriate for beach replenishment purposes and whether such delivery is feasible for the project. Should delivery of the project material be deemed infeasible or should the delivery of the sand or gravel to another location be the purpose of the permit or project, there shall be an analysis of what alternative beach nourishment measures should be taken to mitigate the projects impact to the littoral region. Such permit or project shall be conditioned appropriately to achieve this purpose. Projects involving less than 100 cubic yards of material are exempt from this subsection.
- D. County/City staff and applicants shall consult with the staff of the Beach Erosion Authority for Clean Oceans and Nourishment (BEACON) in making the determinations and project plans under subparagraphs A, B, and C above.
- E. There shall be a report of the compliance of a permitted activity or project with the provisions of this section in every staff report for final consideration by the Board of Supervisors/City Council for every such permit or project proposed for approval. Permits which do not require the approval of the Board of Supervisors/City Council shall note the compliance with this section in the project file.
- F. Permits for projects involving a total cost of less than \$_____ shall be exempted from the requirements of this section.

SECTION 2. This ordinance shall take effect and be in force thirty (30) days from the date of its passage and before the expiration of fifteen (15) days after its passage it, or a summary of it, shall be published once, together with the names of the members of the Board of Supervisors [City Council] voting for and against the same in the _____, a newspaper of general circulation published in the County of _____.

PASSED AND ADOPTED by the Board of Supervisors/City Council of the County/City of _____, State of California, this ____ day of _____, 2005, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

_____, Chair

ATTEST:

Clerk

By _____
Deputy Clerk

Approved as to Form
County Counsel/City Attorney

By _____